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Preparatory Commission for the International Criminal Court

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**Working Group on a Draft Budget for the First Financial Period of the Court**
New York, 1-12 July 2002

**Draft resolution to be adopted by the Assembly of States Parties**

## Selection of the staff of the International Criminal Court

*The Assembly of States Parties,*

*Bearing in mind* articles 44, paragraph 2, and 36, paragraph 8, of the Rome Statute of the International Criminal Court, whereby in the employment of the staff of the International Criminal Court the highest standards of efficiency, competency and integrity shall be ensured and account shall be taken of the need for the representation of the principal legal systems of the world, equitable geographic representation and a fair representation of men and women,

*Bearing in mind also* article 50 of the Statute, according to which the official languages of the Court shall be Arabic, Chinese, English, French, Russian and Spanish and the working languages shall be English and French,

*Noting* that the Staff Regulations provided for in article 44, paragraph 3, of the Statute, embodying these principles cannot be enacted by the Assembly of States Parties before the second half of 2003,

*Desiring* to set interim guidelines for the application of these principles during the transitional period of the establishment of the Court,

*Decides* that the guidelines contained in the annex to the present resolution shall be applied in the selection and appointment of the staff of the Court until the Staff Regulations are adopted in accordance with the Statute.

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# Annex

1. **General principle**. The requirements of article 36, paragraph 8, article 44, paragraph 2, and article 50, paragraphs 1 and 2, of the Statute shall apply to the recruitment of the entire staff of the Court, without any distinction as to category. However, with regard to geographical representation, the system described in paragraph 4 below shall apply only to staff in the Professional category (level P-1 and above).

2. **Notifications**. All vacancies to be filled, and requirements to be met by candidates to such vacancies, shall be notified to all States Parties and to those States which, having engaged in the process of ratification of or accession to the Statute, have expressed an interest in receiving such notifications. All such vacancies shall also be posted on the web site of the Court.

Where appropriate in order to achieve a better balance in gender or geographical representation, such notifications may include preferential consideration of candidates of given nationalities or gender.

3. **Competency**. As a general rule, the competency of candidates shall be determined through an initial evaluation of their background and experience. This should, wherever possible and appropriate, include examples of the candidate's capacity of analysis and drafting ability in one or both of the working languages of the Court. This evaluation may, where appropriate, be of a competitive nature. The second stage of the evaluation shall consist of an oral interview in one or both of the working languages.

In the case of candidates from similar institutions, the initial evaluation may consist of an assessment of the candidate's experience and record in the releasing organization. This would be followed by an oral interview in one or both of the working languages.

In both cases, knowledge of at least another official language shall be considered as an additional asset.

4. **Geographical representation**. For established (i.e., budgeted) posts, and in the case of appointments of at least 12 months' duration, the selection of staff in the Professional category shall be guided in principle by a system of desirable ranges based on that of the United Nations.[1] Nationals from States Parties and from those States having engaged in the process of ratification of or accession to the Statute should have adequate representation on the staff of the Court; however, applications from nationals from non-States Parties may also be considered.

5. **Selection Committee**. The Director of Common Services shall establish a Selection Committee of not more than three individuals to provide advice on the selection of staff in accordance with these guidelines. The officer in charge of human resources shall be the convenor of the Committee.

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[1] See A/56/512 and General Assembly resolution 55/258.